

BakerHostetler



August 30, 2023

By ECF

The Honorable Jessica G.L. Clarke
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States Securities and Exchange Commission v. Qin, No. 20-cv-10849 (JGLC)

Dear Judge Clarke:

Under the Joint Stipulation, which the Court so-ordered on August 8, 2023 (*see* ECF No. 237), we write this joint letter on behalf of Robert A. Musiala, Jr., the Court-appointed receiver in the above-referenced litigation (“Receiver”) and non-party respondents, Nasir Adaya (“Adaya”) and Phuong Nguyen (“Nguyen,” and together with Adaya, “Respondents”).

In accordance with the Joint Stipulation, the parties exchanged discovery requests on August 11, 2023. On August 15, 2023, the parties met and conferred to discuss these requests. On August 21, 2023, the Receiver sent Respondents Responses and Objections to their Requests for Production. In response, Respondents sent modified requests to the Receiver on August 25, 2023. The parties met and conferred on August 29, 2023 to discuss the modified requests.

Substantial progress has been made during the meet and confers, and agreement has been reached on almost all requests. For discovery requests on which agreement has been reached, the Receiver and Respondents will conduct reasonable searches and begin to produce all non-privileged documents responsive to those requests on a rolling basis. However, for discovery requests on which agreement has not been reached, the parties require additional time to continue to meet and confer in an effort to reach consensus. Accordingly, the parties plan to submit another Joint Letter pursuant to the Joint Stipulation by next Friday, September 8, 2023.

We thank your Honor for the consideration of this letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marco Molina'.

Marco Molina,
for the Receiver

Two handwritten signatures in blue ink. The first signature is 'Aviva J.B. Gilbert' and the second is 'Gary M. Kaplan'.

Aviva J.B. Gilbert and Gary M. Kaplan,
for the Respondents